

1 JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
2 DAVID M. MORRELL
Deputy Assistant Attorney General
3 JENNIFER D. RICKETTS
Director, Federal Programs Branch
4 WILLIAM K. LANE III
5 Counsel

6 *Attorneys for Defendants*
7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10
11 MICHIGAN, *et al.*,

12 Plaintiffs,

13 v.

14 BETSY DEVOS, *and*
U.S. DEPARTMENT OF EDUCATION,

15 Defendants.
16
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 3:20-cv-4478-JD

**STIPULATED REQUEST TO
ENLARGE TIME TO ANSWER THE
COMPLAINT**

Pursuant to Civil Local Rule 6-2, Plaintiffs and Defendants file this stipulation regarding Defendants' deadline to file their Answer to Plaintiffs' Complaint. The parties stipulate to a 14-day enlargement, such that Defendants' Answer shall be due by September 22, 2020, absent further orders by the Court or agreement by the Parties.

This Court enjoined application of the challenged Interim Final Rule on August 26, 2020, *see* ECF No. 82, and ordered the parties to file a Case Management Statement by September 10, 2020. The parties have been communicating and preparing to file that Statement. In the interim, however, the District Court for the District of Columbia entered partial summary judgment and vacated the Interim Final Rule on September 4, 2020. *See National Association for the Advancement of Colored People, et al., v. DeVos, et al.*, 1:20-cv-01996, ECF No. 77. Defendants are still reviewing that ruling and determining next steps for all related litigation. Given this significant recent development, the parties stipulate to a 14-day extension of Defendants' deadline to answer, to allow this case to proceed in the most expeditious and efficient manner practicable.

DATED: September 8, 2020

XAVIER BECERRA
Attorney General of California
MICHAEL NEWMAN
Senior Assistant Attorney General
SARAH E. BELTON
Supervising Deputy Attorney General

/s/ Garrett Lindsey

GARRETT LINDSEY
JAMES F. ZAHRADKA II
REBEKAH A. FRETZ
Deputy Attorneys General

Attorneys for Plaintiff State of California

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

DAVID M. MORRELL
Deputy Assistant Attorney General

JENNIFER D. RICKETTS
Director

/s/ William K. Lane III
WILLIAM K. LANE III
(D.C Bar No. 1034955)
Counsel, Civil Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530
(202) 305-7920
william.lane2@usdoj.gov

Attorneys for Defendant